

## REMARKS

Reconsideration of the application is respectfully requested in view of the above amendment.

The application is directed to a food and process of making, which comprises an emulsion having a first phase of gelled edible surfactant and a second phase of gelled bio-polymer wherein the gelled bio-polymer phase includes triglyceride fat at a level of 5 weight % or less and a lipophilic flavor. The invention is directed to solving a problem associated with very low triglyceride fat products, namely that it is difficult to prepare such a product wherein fat soluble lipophilic flavors are well perceived by the consumer during ingestion of the food. At extremely low triglyceride fat levels, the lipophilic flavors tend not to be well perceived, presumably due to the absence or minimal presence of the usual triglyceride fat carriers for such flavors. The presently claimed invention is directed to the discovery that very low fat foods comprising an emulsion can be provided with lipophilic flavor by incorporating the flavor into a gelled biopolymer phase. This facilitates control of flavor release in that flavor release will be strongly influenced by the melting characteristics of the biopolymer.

Singer et al, US Patent no. 5 202 146 discloses methods for delivery of fat soluble flavor components into non-fat and low fat food products in which fat components have been replaced by non-lipid fat substitutes. Singer et al disclose a flavor delivery system in which fat globules into which elevated levels of fat soluble flavor compounds are said to have been loaded and which delivery system is incorporated into non-fat and low fat food products. Singer et al indicate that non-lipid fat substitutes which reproduce the organoleptic character of fat and oils tend to retain and present fat soluble flavor compounds in a manner different from fats. However, the Office points to no teaching in Singer et al that the presently recited specific emulsions comprising mesomorphic phase of edible surfactant and a gelled biopolymer can be advantageously flavored by inclusion in the second phase (gelled biopolymer) of

triglyceride fat at a level of 5 weight percent or less and a lipophilic flavor.

In view of the foregoing it is respectfully requested that the application, as amended, be allowed .

Respectfully submitted,



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